IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1055 OF 2003

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OFFICE NOTES, OFFICE MEMORANDUM OF CORAM, APPEARANCES, COURT'S ORDERS OR DIRECTIONS AND REGISTRAR'S ORDERS	COURT'S OR JUDGES ORDERS

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Shri A.S.Shitole, A.P.P. for the Appellant.
Shri Milind Deshmukh for the Respondents.

CORAM : A. S. OKA, J.
DATE : SEPTEMBER 28, 2006.

P.C.:

1. Heard the learned A.P.P. on the question of grant of leave. The allegation of the prosecution was that the Respondents have contravened provisions of section 18(a)(6) read with Rules 65(4)(4)(i) and 65(5)(3)(i) punishable under section 27(d) of Drugs and Cosmetics Act, 1940. The prosecution has resulted into acquittal.

2. After considering the provisions of the relevant rules, the learned Judge found that the process not was not at all issued for contravention of the said rules and the charge which was framed was also silent about the contravention of the said rules. The learned Judge has noted that there is no

charge against the Respondents for stocking and selling the drugs without purchase bills. Considering these defects in the prosecution case, the learned Trial Judge has passed an order of acquittal. No case is made out for grant of leave. Leave is refused. Appeal is dismissed.

JUDGE